

FILED

Up It ~~03 SEP 3 2008~~ PM 1:57  
District Court for The  
Northern District of California

Motion To  
Amendment To Complaint

Kevin Brewer AJR936  
VS

Case No CV08 3149

ALTABATES Summit  
medical Center #one  
Director of Hospital #two  
Chief of Surgery #three  
Rebecca Yu MD #four  
Assisting Surgeon #five

Amendment To Complaint  
[Amount demanded  
Ten million dollars  
(Unlimited Civil Case)

To the Honorable Court In the above  
Entitled action

Points And Authorities

- 1 | § 415.96 Amendment to Complaint + Code  
2 | Civ Proc §§ 425.10 425.13, 471.5) for damages  
3 | (Civ Code § 3294; Code Civ Proc 425, 13  
4 | Code Civ Proc § 425 13(a) § 415 92.5 Code Civ  
5 | Proc § 425 13(g)  
6 | Civ code § 3295(e)  
7 | Civ Code § 3294  
8 | Code Civ Proc § 425 13(a)  
9 | Code Civ Proc § 425 13(b)  
10 | Code Civ Proc § 471.5  
11 | Cal Rules of Ct Rule 3.1324  
12 | §§ 415.95, 415 95  
13 | §§ 415.92 § 415 91  
14 | Tresemmer V Barke (1978) 86 Cal App 3d 656  
15 | 669 672 150 Cal Rptr 384  
16 | Code Civ Proc § 340.5 § 415.47 Tresemmer V  
17 | Barke (1978) 86 Cal App 3d 656 664-665 150  
18 | Cal Rptr 384  
19 | Code Civ Proc § 340, 5  
20 | § 415.98 Allegation - physician's failure to  
21 | obtain patient's informed consent Action  
22 | + Negligence  
23 | Truman V Thomas (1980) 27 Cal 3d 285 292  
24 | 165 Cal Rptr 308, 611 P 2d 902  
25 | Cobbs V Graft (1972) 8 Cal 3d 229 245  
26 | 104 Cal Rptr 505, 502 P 2d 17  
27  
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1 Bus and Prof Code § 4211.5  
2 Hutchison v United States (9th Cir  
3 1988) 841 F2d 966, 969  
4 § 415.99 Allegations for damages [Civ Code  
5 § 3333] for personal injury based on  
6 negligence [Civ Code § 1714] by patient  
7 against Physicians Employees Hospital  
8 and Hospital Employees Injury to patient  
9 while under Anesthesia- Res Ipsa Loquitur  
10 Ybarra v Spatzgard (1944) 25 Cal 2d 486 490  
11 491 154 P2d 687

12 Code Civ Proc § 425.12 § 415.92  
13 Bardessono v michels (1970) 3 Cal 3d 780  
14 788 788, 5, 91 Cal Rptr 760, 478 P2d 480  
15 Ybarra v Spatzgard (1944) 25 Cal 2d 486 492  
16 494 154 P2d 687 § 415.11.(2) and ch 295  
17 Hospitals

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22 I declare under penalty of perjury  
23 that the foregoing is true and correct

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Signed August day of 26 2008

Kevin Brewster  
Plaintiff's Signature